

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

BAUTISTA REO PR CORP.,	Civil No. 16-02938
Plaintiff,	
v.	Re:
RUGAM CORPORATION, MORA DEVELOPMENT CORPORATION, ALEJANDRO RUBÍ CINTRÓN, HIS WIFE MARIEL MARXUACH TORRÓS, AND THE LEGAL CONJUGAL PARTNERSHIP RUBÍ-MARXUACH, CLEOFÉ RUBÍ GONZÁLEZ, HIS WIFE MORAIMA CINTRÓN ÁVILES, AND THE LEGAL CONJUGAL PARTNERSHIP RUBÍ-CINTRÓN.	COLLECTION OF MONIES; FORECLOSURE OF MORTGAGES AND OTHER COLLATERAL
Defendants.	

ORDER OF PUBLIC SALE IN EXECUTION OF JUDGMENT

Upon reviewing Plaintiff, Bautista REO PR Corp.’s (hereinafter referred to as “Bautista”), *Motion for Execution of Judgment* at Docket No. 93, and it appearing from the records of this Court and from Bautista’s motion that Defendants failed to pay Bautista the sums of money adjudged to be paid under the *Judgment* at Docket No. 91 (“the Judgment”), and it also appearing that more than fourteen (14) days have elapsed since the entry of the Judgment;

IT IS HEREBY ORDERED, that pursuant to Fed. R. Civ. P. 53(a)(1)(C), that the Special Master appointed by this Court proceed with the public sale proceedings requested by Bautista in its motion, as execution of the Judgment.

IT IS HEREBY ORDERED that said Special Master appointed by this Court, proceed forthwith and sell at public auction to the highest bidder, the property described as follows (the “Property”):

i. **Real Property 15,072**

-----**RUSTIC**: Parcel of land located in the Ceiba North Ward of the municipality of Juncos, Puerto Rico, with a Surface area of 406,521.6479 square meters, equivalent to 103.4302 cuerdas. Bordering on the **NORTH**, with lands of Altos de la Ceiba, Corp., and the Estate of Urrutia; on the **SOUTH**, with lands of Javier Rivera; on the **EAST**, with lands of Javier Rivera; and on the **WEST**, with lands of Altos de la Ceiba, Corp. This is the Remnant, according to deed number 9, executed in San Juan, Puerto Rico, on June 26, 2008, before Notary Yesef Yahir Cordero, and recorded at page 121 of tome 402 of Juncos, property number 15,072, 4th recordation.-----

-----The property number 15,072 is recorded at page 121 of volume

402 of Juncos, Second Section of Caguas, Registry of the Property of
Puerto Rico.-----

- (a) The Court designates Mr. Joel Ronda Feliciano as Special Master of this Court.

The contact information of Mr. Ronda Feliciano is 405 Ave. Esmeralda, 2-150, Guaynabo, Puerto Rico 00969, phone number (787) 565-0515, and e-mail address rondajoel@me.com.
- (b) The public sale will take place at the office of the Clerk of this Court, or at any suitable place that the Special Master may designate for those purposes, in the date and hour provided for in the Notice of Sale to be issued by the Special Master.
- (c) The Notice of Sale shall be published by the Special Master once a week for at least four weeks prior to the date of the sale in a newspaper printed regularly and having a general circulation in the island of Puerto Rico; and shall be posted for two weeks in three (3) public places in the Municipality of Caguas, like the City Hall, the Court of First Instance and the tax collector's office. Notice shall also be mailed to Defendants' last known address and to the property's junior lienholders, if any. The Special Master will have specific authority to enter the Property, without breach of peace, to perform the posting and delivery.
- (d) The minimum bid to be accepted at the first public sale shall be in accordance with the applicable Mortgage Deed ("Foreclosure Valuation"). The minimum bid to be accepted at the second and third auctions, in the event that the first and/or second public auctions are deserted, will be $\frac{2}{3}$ and $\frac{1}{2}$, respectively, of the Foreclosure Valuation.
- (e) The Special Master at the sale shall not accept payment for the Property to be sold anything other than United States currency or certified or bank manager checks, except if the Property is sold or adjudicated to Bautista (if the three public sales are declared deserted), in which case the amount of its bids (or the transfer value thereof if adjudicated in its favor) will be credited towards the amounts owed under the Judgment; Bautista will only be bound to pay in cash or certified check any excess of its bids over the secured indebtedness that remains unsatisfied.
- (f) Should there be surplus sale proceeds after satisfaction of the Judgment and payment of the execution expenses documented by Bautista, and subject to review

by this Court, it will be delivered to the Clerk of this Court, subject to further orders.

- (g) This Court has taken notice of Bautista's rights to bid, at its sole discretion, with the aggregate amount owed under the Judgment in the public sale of the Property. If Bautista bids using a portion of the amounts owed under the Judgment in excess of its mortgage credits over the Property said amounts would be deducted from the amount owed under the Judgment, as applicable.
- (h) Upon confirmation of the sale by this Court, the Special Master shall execute and deliver a deed of conveyance of the Property sold to its buyer (or acquirer).
- (i) If the thirds auction of the Property is deserted, Bautista may proceed to coordinate the execution of a deed of conveyance with the Special Master within twenty (20) days of the public sale, to take title of the Property as satisfaction of the Judgment.
- (j) Once the Property is adjudicated in payment of the credit guaranteeing the debt, as identified in the Judgment, all junior liens must be canceled provided that the junior creditors are notified of the public sale of the Property, upon request thereof by the person acquiring title of the Property.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this ____ day of _____, 2021.

JAY A. GARCÍA-GREGORY
UNITED STATES DISTRICT JUDGE